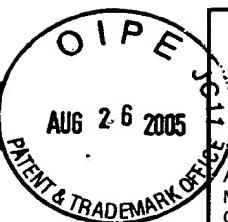


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Request For Continued Examination (RCE) Transmittal		Application Number 09/458,813-Conf. #9312 Filing Date December 10, 1999 First Named Inventor Brian R. MURPHY Art Unit 1648 Examiner Name S. B. Chen Attorney Docket Number 1173-1051PUS1
This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.		

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s) iv. Other Substitute Power of Attorney _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$ 4,310.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	August 26, 2005
Name (Print/Type)	Mark J. Nuell, Ph.D.	Registration No.	36,623

08/29/2005 SZENDIE1 00000017 09458813

01 FC:1801

790.00 OP

Docket No.: 1173-1051PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Brian R. MURPHY et al.

Application No.: 09/458,813

Filed: December 10, 1999

For: USE OF RECOMBINANT LIVE
ATTENUATED PARAINFLUENZA VIRUS
(PIV) AS A VECTOR TO PROTECT AGAINST
DISEASE CAUSED BY PIV AND
RESPIRATORY SYNCYTIAL VIRUS (RSV)



Confirmation No.: 9312

Art Unit: 1648

Examiner: S. B. Chen

REPLY UNDER 37 C.F.R. §§ 1.111 AND 1.114

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

08/29/2005 SZEWDIE1 00000017 09458813

03 FC:1201	400.00 DP
04 FC:1202	600.00 DP
05 FC:1203	360.00 DP

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.